

ORIGINAL



0000008031

19

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

2003 SEP 23 A 11:00

MARC SPITZER,
Chairman

AZ CORP COMMISSION
DOCUMENT CONTROL

JIM IRVIN,
Commissioner

WILLIAM MUNDELL,
Commissioner

Arizona Corporation Commission
DOCKETED

SEP 23 2003

JEFF HATCH-MILLER,
Commissioner

MIKE GLEASON,
Commissioner

DOCKETED BY	CKR
-------------	-----

UTILITIES DIVISION STAFF,

Complainant,

Docket No. T-03889A-02-0796
T-04125A-02-0796

vs.

LIVEWIRENET OF ARIZONA, LLC; THE
PHONE COMPANY MANAGEMENT
GROUP, LLC; THE PHONE COMPANY
OF ARIZONA JOINT VENTURE d/b/a
THE PHONE COMPANY OF ARIZONA;
ON SYSTEMS TECHNOLOGY, LLC, and
its principles, TIM WETHERALD, FRANK
TRICAMO and DAVID STAFFORD; THE
PHONE COMPANY OF ARIZONA, LLP
and its members,

NOTICE OF FILING ORIGINAL
AFFIDAVIT TO MOTION TO
WITHDRAW AS COUNSEL FOR
DMJ COMMUNICATIONS

Respondents.

IN THE MATTER OF THE PHONE
COMPANY OF ARIZONA JOINT
VENTURE d/b/a THE PHONE COMPANY
OF ARIZONA'S APPLICATION FOR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICE AS
A LOCAL AND LONG DISTANCE
RESELLER AND ALTERNATIVE
OPERATOR SERVICE.

Docket No. T-04125A-02-0577

IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC f/k/a
LIVEWIRENET OF ARIZONA, LLC TO
DISCONTINUE LOCAL EXCHANGE
SERVICE.

Docket No. T-03889A-02-0578

IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC FOR
CANCELLATION OF FACILITIES
BASED AND RESOLD LOCAL
EXCHANGE SERVICES.

Docket No. T-03889A-03-0152


IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC d/b/a THE
PHONE COMPANY FOR THE
CANCELLATION OF ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. T-03889A-03-0202

On September 15, 2003 Lewis and Roca LLP respectfully requested that it
be allowed to withdraw as counsel for DMJ Communications ("DMJ"). That Motion to
Withdraw was filed with a copy of the original Affidavit. Attached is the original Affidavit
executed by Joyce Howard, Executive Vice President of Operations of DMJ.

RESPECTFULLY SUBMITTED this 23rd day of September, 2003.

LEWIS AND ROCA LLP



Thomas H. Campbell
Michael T. Hallam
40 N. Central Avenue
Phoenix, Arizona 85004

ORIGINAL and twenty-one (21) copies
of the foregoing filed this 23rd day of September,
2003, with:

Arizona Corporation Commission
Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

COPY of the foregoing hand-delivered
this 23rd day of September, 2003, to:

Philip J. Dion, III
Hearing Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director
Utilities Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Christopher Kempley, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

LEWIS
AND
ROCA
LLP
LAWYERS

1 COPY of the foregoing mailed this
2 23rd day of September, 2003, to:

3 Timothy Berg
4 Theresa Dwyer
5 Fennemore Craig
6 3003 N. Central Avenue
7 Suite 2600
8 Phoenix, Arizona 85012

9 Jeffrey W. Crockett
10 Snell & Wilmer, LLP
11 One Arizona Center
12 400 E. Van Buren Street
13 Phoenix, Arizona 85004

14 Marty Harper
15 Shughart Thomson Kilroy Goodwin Raup
16 3636 N. Central Ave., Suite 1200
17 Phoenix, Arizona 85012

18 David Stafford Johnson
19 740 Gilpin Street
20 Denver, Colorado 80218
21
22
23
24
25
26

A handwritten signature in cursive script, reading "Betty J. Griffin", is written over a horizontal line.

1
2 **BEFORE THE ARIZONA CORPORATION COMMISSION**

3 **MARC SPITZER,**
4 **Chairman**

5 **JIM IRVIN,**
6 **Commissioner**

7 **WILLIAM MUNDELL,**
8 **Commissioner**

9 **JEFF HATCH-MILLER,**
10 **Commissioner**

11 **MIKE GLEASON,**
12 **Commissioner**

13 **UTILITIES DIVISION STAFF,**

14 **Complainant,**

15 **vs.**

16 **LIVEWIRENET OF ARIZONA, LLC; THE**
17 **PHONE COMPANY MANAGEMENT**
18 **GROUP, LLC; THE PHONE COMPANY**
19 **OF ARIZONA JOINT VENTURE d/b/a**
20 **THE PHONE COMPANY OF ARIZONA;**
21 **ON SYSTEMS TECHNOLOGY, LLC, and**
22 **its principles, TIM WETHERALD, FRANK**
23 **TRICAMO and DAVID STAFFORD; THE**
24 **PHONE COMPANY OF ARIZONA, LLP**
25 **and its members,**

26 **Respondents.**

Docket No. T-03889A-02-0796
T-04125A-02-0796

AFFIDAVIT

27 **IN THE MATTER OF THE PHONE**
28 **COMPANY OF ARIZONA JOINT**
29 **VENTURE d/b/a THE PHONE COMPANY**
30 **OF ARIZONA'S APPLICATION FOR**
31 **CERTIFICATE OF CONVENIENCE AND**
32 **NECESSITY TO PROVIDE INTRASTATE**
33 **TELECOMMUNICATIONS SERVICE AS**
34 **A LOCAL AND LONG DISTANCE**
35 **RESELLER AND ALTERNATIVE**
36 **OPERATOR SERVICE.**

Docket No. T-04125A-02-0577

IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC f/k/a
LIVEWIRENET OF ARIZONA, LLC TO
DISCONTINUE LOCAL EXCHANGE
SERVICE.

Docket No. T-03889A-02-0578

IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC FOR
CANCELLATION OF FACILITIES
BASED AND RESOLD LOCAL
EXCHANGE SERVICES.

Docket No. T-03889A-03-0152

IN THE MATTER OF THE APPLICATION
OF THE PHONE COMPANY
MANAGEMENT GROUP, LLC d/b/a THE
PHONE COMPANY FOR THE
CANCELLATION OF ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. T-03889A-03-0202

AFFIDAVIT

STATE of Texas:

:

County of

:

SS:

:

Joyce Howard, being duly sworn, deposes and says:

1. I am the Executive Vice President of Operations of DMJ Communications,
Inc. ("DMJ").

2. DMJ has no customers in Arizona.

1 3. DMJ has no assets in Arizona.

2 4. DMJ has no resources to pay for outside legal counsel in this proceeding
3 and, therefore, Lewis and Roca is no longer authorized to represent DMJ in this matter.
4

5 5. All communications relating to this pending proceeding should be directed
6 to me at the following address:

7 Joyce Howard, Executive Vice President of Operations
8 DMJ Communications, Inc.
9 1401 Colony Drive
10 Irving, Texas 75061
11 (972) 253-3464
(972) 253-5074 (fax)

12 6. It is my understanding that DMJ must be represented by legal counsel before
13 the Commission, and that if DMJ does not retain counsel to represent them in these
14 dockets, or if DMJ does not appear to present evidence, the Commission may proceed
15 against DMJ in abstentia, that is, without that entity being present, and the Commission
16 may enter a default against them.
17

18 DATED this 15 day of September, 2003.

19 
Joyce Howard

Executive Vice President of Operations

21 SWORN and SUBSCRIBED to before me this 15 day of September, 2003 by

22 Joyce Howard

23 
24 Notary Public

25 My Commission expires:

26 02-04-2006